

RETURN DATE: AUGUST 6, 2019 : SUPERIOR COURT

MOHEGAN TRIBAL GAMING AUTHORITY
D/B/A MOHEGAN SUN D/B/A MTGA : JUDICIAL DISTRICT OF

VS. : NEW LONDON AT NEW LONDON

EUGENE MELNYK : JUNE 11, 2019

**EX-PARTE APPLICATION FOR ORDER OF NOTICE FOR
PERMISSION TO SERVE BY GLOBAL EXPRESS MAIL**

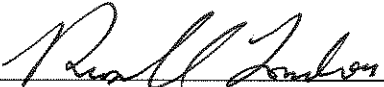
Pursuant to Practice Book §11-8 and Connecticut General Statutes §52-59d, Plaintiff Mohegan Tribal Gaming Authority d/b/a Mohegan Sun d/b/a MTGA moves for an order of notice for permission to serve Defendant Eugene Melnyk at Crane Beach House, St. Philip, Barbados by Global Express Mail.

In support of this motion, Plaintiff represents:

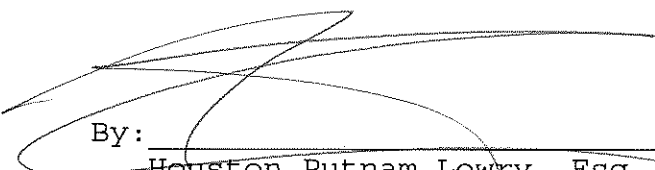
1. The United States and the Barbados are parties to the Hague Service Convention.
2. Service under the Hague Service Convention to Barbados is likely to take about four months.
3. Barbados does not object to sending judicial documents abroad through postal channels pursuant to Hague Service Convention Article 10(a).

Delivery to Eugene Melnyk at Crane Beach House, St. Philip, Barbados by Global Express Mail is most likely to give actual notice in sufficient time to respond to the complaint.

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: 
Russell L. London, Esq.
London & London
48 Christian Lane
Newington, CT 06111-5451
(860) 666-4500
FAX: (860) 667-1245
Email: rlondon@londonandlondon.com
Juris # 406548

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: 
Houston Putnam Lowry, Esq.
Polivy, Lowry & Clayton, LLC
6 Central Row-Second Floor
Hartford, CT 06103
(860) 560-1180
FAX: (860) 560-1354
Email: PTL@HPLowry.com
Juris # 407964


x 
Assistant Clerk.

RETURN DATE: AUGUST 6, 2019 : SUPERIOR COURT

MOHEGAN TRIBAL GAMING AUTHORITY
D/B/A MOHEGAN SUN D/B/A MTGA : JUDICIAL DISTRICT OF

VS. : NEW LONDON AT NEW LONDON

EUGENE MELNYK : JUNE 11, 2019

COMPLAINT

Plaintiff Mohegan Tribal Gaming Authority d/b/a Mohegan Sun
d/b/a MTGA complains as follows:

COUNT ONE-NON-PAYMENT OF DISHONORED DRAFTS

1. Plaintiff Mohegan Tribal Gaming Authority d/b/a
Mohegan Sun d/b/a MTGA operates the Mohegan Sun Casino in
Uncasville, Connecticut.

2. Defendant Eugene Melnyk ("Melnyk") is a citizen of
Canada who resides at Crane Beach House, St. Philip, Barbados.
Melnyk also maintains a mailing address at 101 West 67th Street
#44A, New York City, New York.

3. On the dates indicated, Defendant Melnyk issued the
following drafts (as defined in Connecticut General Statutes
§42a-3-104) as Drawer (as defined in Connecticut General
Statutes §42a-3-103(3)) to Plaintiff as the payee in Uncasville,
Connecticut:

Date	Time	Check #	Amount	Fee	Exhibit
3/19/2017	11:57 PM	2090087	\$100,000.00	\$15.00	1
3/19/2017	11:37 PM	2090083	\$200,000.00	\$15.00	2
3/19/2017	11:07 PM	2090079	\$200,000.00	\$15.00	3
3/19/2017	3:56 PM	2090019	\$200,000.00	\$15.00	4
3/17/2017	9:55 PM	2089608	\$200,000.00	\$15.00	5
			\$900,000.00	\$75.00	

4. A true and correct copy of the drafts is attached as the indicated Exhibits and will be provided pursuant to Practice Book §10-29.

5. The drafts were subsequently dishonored by Toronto Dominion Bank.

6. Pursuant to Connecticut General Statutes §42a-3-414, Defendant Melnyk is obligated to pay the drafts in accordance with their tenor.

7. Plaintiff remains the owner and holder of the drafts.

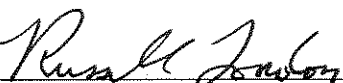
8. Defendant Melnyk has failed to pay the drafts in accordance with their terms.

9. Plaintiff has been damaged by Defendant Melnyk's actions.

WHEREFORE, Plaintiff Mohegan Tribal Gaming Authority d/b/a
Mohegan Sun d/b/a MTGA prays for:

1. Damages against Defendant Melnyk;
2. Reasonable attorney's fees against Defendant Melnyk
in accordance with Plaintiff's credit application;
3. Interest against Defendant Melnyk before and after
judgment;
4. Costs;
5. Such other and further relief as the court deems just
and equitable.

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: 
Russell L. London, Esq.
London & London
48 Christian Lane
Newington, CT 06111-5451
(860) 666-4500
FAX: (860) 667-1245
Email: rlondon@londonandlondon.com
Juris # 406548

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: 

Houston Putnam Lowry, Esq.
Polivy, Lowry & Clayton, LLC
6 Central Row Second Floor
Hartford, CT 06103
(860) 560-1180
FAX: (860) 560-1354
Email: PTL@HPLowry.com
Juris # 407964

RETURN DATE: AUGUST 6, 2019 : SUPERIOR COURT

MOHEGAN TRIBAL GAMING AUTHORITY

D/B/A MOHEGAN SUN D/B/A MTGA : JUDICIAL DISTRICT OF

VS. : NEW LONDON AT NEW LONDON
:

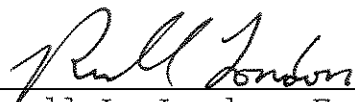
EUGENE MELNYK : JUNE 4, 2019

STATEMENT OF AMOUNT IN DEMAND

Plaintiff Mohegan Tribal Gaming Authority d/b/a Mohegan Sun
d/b/a MTGA claims money damages of \$15,000.00 or more, exclusive
of interest and costs.

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: _____


Russell L. London, Esq.
London & London
48 Christian Lane
Newington, CT 06111-5451
(860) 666-4500
FAX: (860) 667-1245
Email: rlondon@londonandlondon.com
Juris # 406548

MOHEGAN TRIBAL GAMING AUTHORITY
PLAINTIFF

By: 

Houston Putnam Lowry, Esq.
Polivy, Lowry & Clayton, LLC
6 Central Row-Second Floor
Hartford, CT 06103
(860) 560-1180
FAX: (860) 560-1354
Email: PTL@HPLowry.com
Juris # 407964

APPEARANCE

JD-CL-12 Rev. 9-13
P.B. §§ 3-1 thru 3-6, 3-8, 10-13, 25A-2

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Instructions — See Back/Page 2
ADA Notice — See Back/Page 2

Notice To Self-Represented Parties

A self-represented party is a person who represents himself or herself. If you are a self-represented party and you filed an appearance before and you have since changed your address, you must let the court and all attorneys and self-represented parties of record know that you have changed your address by checking the box below:

☐ I am filing this appearance to let the court and all attorneys and self-represented parties of record know that I have changed my address. My new address is below.

Return date 08/06/2019
Docket number

Name of case (Full name of Plaintiff vs. Full name of Defendant)

Mohegan Tribal Gaming v. Eugene Melnyk

<input checked="" type="checkbox"/> Judicial District <input type="checkbox"/> Housing Session <input type="checkbox"/> Small Claims <input type="checkbox"/> Geographic Area number	Address of Court (Number, street, town and zip code) 70 Huntington Street, New London, CT 06320
Scheduled Court date (Criminal/Motor Vehicle Matters)	

Please Enter the Appearance of

Name of self-represented party (See "Notice to Self-Represented Parties" at top), or name of official, firm, professional corporation, or individual attorney	Juris number of attorney or firm
Polivy, Lowry & Clayton, LLC	407964

Mailing Address (Number, street) (Notice to attorneys and law firms - The address to which papers will be mailed from the court is the one registered or affiliated with your juris number. That address cannot be changed in this form.)		Post office box	Telephone number (Area code first)
6 Central Row-Second Floor		294	(860) 560-1180
City/town	State	Zip code	Fax number (Area code first)
Hartford	CT	06103	(860) 560-1354
E-mail address PTL@HPLowry.com			


in the case named above for: ("x" one of the following parties; if this is a Family Matters case, also indicate the scope of your appearance)

- ☒ The Plaintiff (includes the person suing another person).
☐ All Plaintiffs.
☐ The following Plaintiff(s) only: _____
☐ The Defendant (includes the person being sued or charged with a crime).
☐ The Defendant for the purpose of the bail hearing only (in criminal and motor vehicle cases only).
☐ All Defendants.
☐ The following Defendant(s) only: _____
☐ Other (Specify): _____
☐ This is a Family Matters case and my appearance is for: ("x" one or both)
☐ matters in the Family Division of the Superior Court ☐ Title IV-D Child Support matters

Note: If other counsel or a self-represented party has already filed an appearance for the party or parties "x'd" above, put an "x" in box 1 or 2 below:


1. ☐ This appearance is in place of the appearance of the following attorney, firm or self-represented party on file (P.B. Sec. 3-8): _____ (Name and Juris Number)
 2. ☒ This appearance is in addition to an appearance already on file.

I agree to accept papers (service) electronically in this case under Practice Book Section 10-13 ☐ Yes ☒ No

Signed (Individual attorney or self-represented party)	Name of person signing at left (Print or type)	Date signed
	Houston Putnam Lowry	06/11/2019

Certification

I certify that a copy of this document was mailed or delivered electronically or non-electronically on (date) _____ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

Name and address of each party and attorney that copy was mailed or delivered to*				For Court Use Only
Signed (Signature of filer)	Print or type name of person signing	Date signed	Telephone number	
				

*If necessary, attach an additional sheet or sheets with the name of each party and the address which the copy was mailed or delivered to.